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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.
13

14 OPKEM FRANCIS,

15 Defendant.
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Case No. 2:21-cr-00300-RFB-DJA

**STIPULATION TO CONTINUE
CHANGE OF PLEA HEARING**
(First Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher
18 Chiou, Acting United States Attorney, and Kimberly A. Sokolich, Assistant United
19 States Attorney, counsel for the United States of America, and Rene L. Valladares,
20 Federal Public Defender, and Joanne L. Diamond, Assistant Federal Public
21 Defender, counsel for Opkem Francis, that the Change of Plea Hearing currently
22 scheduled on May 2, 2022, be vacated and continued to a date and time convenient
23 to the Court, but no sooner than sixty (60) days.

24 This Stipulation is entered into for the following reasons:
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1 1. Defense counsel needs additional time with Mr. Francis to prepare
2 for his change of plea and presentencing issues. In addition, Mr. Francis needs
3 additional time to address matters in a pending state case.

4 2. The defendant is in custody and agrees with the need for the
5 continuance.

6 3. The parties agree to the continuance.

7 4. The additional time requested herein is not sought for purposes of
8 delay but merely to allow counsel for defendant sufficient time to prepare for the
9 change of plea and presentencing issues.

10 5. Additionally, denial of this request for continuance could result in a
11 miscarriage of justice. The additional time requested by this Stipulation is
12 excludable in computing the time within which the trial herein must commence
13 pursuant to the Speedy Trial Act, Title 18, United States Code, Section
14 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section
15 3161(h)(7)(B)(i), (iv).

16 This is the first request for a continuance of the change of plea hearing.

17 DATED this 27th day of April, 2022.

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19 RENE L. VALLADARES
20 Federal Public Defender

 CHRISTOPHER CHIOU
 Acting United States Attorney

21 /s/ Joanne L. Diamond
22 By _____

 /s/ Kimberly A. Sokolich
 By _____

23 JOANNE L. DIAMOND
24 Assistant Federal Public Defender

 KIMBERLY A. SOKOLICH
 Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,
4
5 Plaintiff,

6 v.

7 OPKEM FRANCIS,
8 Defendant.

Case No. 2:21-cr-00300-RFB-DJA

ORDER

9
10 IT IS THEREFORE ORDERED that the change of plea hearing currently
11 scheduled for Monday, May 2, 2022 at 10:00 a.m., be vacated and continued to
12 July 7, 2022 at the hour of 9 : 00 a.m., in LV Courtroom 7C.

13 DATED this 28th day of April, 2022.

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16 RICHARD F. BOULWARE, II
17 UNITED STATES DISTRICT JUDGE
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